



State of New Hampshire

Banking Department

Consumer Information

Consumer Complaints Against Licensed
Lenders and Other Regulated Companies

Peter C. Hildreth, Bank Commissioner

Please take a few minutes to read the following information. We hope this will help you understand our department's function with respect to consumer complaints involving licensed lenders, loan brokers and other licensed financial services companies.

THE STATE OF NEW HAMPSHIRE BANKING DEPARTMENT

The New Hampshire Banking Department is the state agency responsible for the general supervision of all New Hampshire chartered financial institutions including, commercial banks, fiduciary trust companies, savings banks, co-operative banks, merchant banks and credit unions. The department also regulates first mortgage bankers and brokers, second mortgage home loan companies, small loan companies, mortgage servicing companies, debt adjusters, motor vehicle sales finance companies, and retail sellers of motor vehicles.

CONSUMER COMPLAINTS

WHAT WE CAN DO:

- * We can only act upon written complaints. The department makes available a consumer complaint form which you may use for this purpose, or you may file a complaint by letter.
- * We forward each complaint to an officer of the company for review if the complaint names a licensee of the department. Complaints are forwarded via certified or registered mail within 10 days of receipt by the department.
- * Licensees must send a written acknowledgement to the consumer and the banking department within 30 days of receipt of the complaint. Within 60 days following receipt of a complaint, the licensee must conduct an investigation and either: (a) make appropriate corrections in the account of the consumer and transmit to the consumer and the banking department written notification of such corrections, or (b) send a written explanation to the consumer and the banking department which sets forth reasons why the licensee believes its actions are correct.
- * We act as an intermediary to help resolve problems between consumers and department licensees. We attempt to assist with reconciliation, settlement or compromise; however, neither consumers nor department licensees are required to accept any resolution arrived at through our attempts to mediate the dispute.

WHAT WE CANNOT DO:

- * We cannot order refunds, cancellation of contracts, damage awards, or other legal remedies because we do not have that authority. If you are seeking this type of relief, you may wish to consult with an attorney.
- * We cannot overturn or overrule a court order.
- * We cannot give legal advice or act as your attorney. We do not interpret the terms of contracts, promissory notes, or other legal documents.
- * We cannot order a company to comply with a requested remedy if New Hampshire law does not give our department specific authority.
- * We cannot promise that the remedy you request will be available.

HOW YOU CAN HELP:

- * Briefly summarize your complaint in chronological order. Tell us what happened, starting from the beginning, and describe the significant events that occurred. You do not need to include every detail, but it is important to explain the essential elements of the dispute.
- * Include legible photocopies of the most important or relevant documents (for example: promissory notes, account agreements, statements, and the like). Be sure to copy both sides of two-sided documents.
- * Please do not enclose original documents. These are important papers, and you should keep the originals in your possession. If originals are sent, we will make every effort to return them to you. However, we cannot be responsible for original documents enclosed with complaints.

REFERRALS:

- * The issues stated in your complaint may be addressed by federal law or federal agency regulations instead of state law. If your complaint is governed by federal laws or rules, we will forward your complaint to the appropriate federal agency, and inform you by letter of the referral.
- * Some complaints are within the regulatory authority of another state agency. If this is the case, we will refer your complaint to the appropriate state agency. We will inform you by letter of the referral.
- * You may be advised to contact a private attorney or small claims court.

If you have any questions, you may contact the department at:

**STATE OF NEW HAMPSHIRE
BANKING DEPARTMENT
64B OLD SUNCOOK RD
CONCORD NH 03301-5151
TEL (603) 271-3561
FAX (603) 271-0750**

**TDD ACCESS:
RELAY NH 1-800-735-2964**

Or, contact the department via our web site at: www.state.nh.us/banking